

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-5 and 14 are all the claims pending in the application. In response to the Office Action, Applicant respectfully submits that the claims define patentable subject matter.

Claims 1-5 and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over previously cited Kuzma in view of Mobile Tech News, “Logica first to enable MMS Inter-carrier Messaging”, hereafter “Mobile News”, and further in view of newly cited Fenton et al. (U.S. Patent Application Publication No. 2003/0193967, hereafter “Fenton”). Applicant respectfully traverses the prior art rejections.

Applicant respectfully submits that there is no teaching or suggestion in the cited references that “the value of the stamp depends on a number of addressees that the message is to be sent to”, as recited in amended independent claim 1.

The Examiner cites paragraph [0039] of Fenton as allegedly teaching this element of the claim. However, this cited portion of Fenton merely teaches that a charging mechanism may include (among other criteria) a number of messages sent. Applicant respectfully submits that “a number of addressees” as claimed is not equivalent to the number of messages sent, as taught by Fenton. The number of messages sent does not equate to the number of addressees, at least because plural messages can be sent to a single addressee.

Accordingly, Applicant respectfully submits that independent claim 1 should be allowable because the cited references, alone or in combination, do not teach or suggest all of the

elements of the claims. Claims 2-5 and 14 should also be allowable at least by virtue of their dependency in independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Mark E. Wallerson/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Mark E. Wallerson
Registration No. 59,043

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